

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

OSCAR SMITH, JR. and
O. SMITH AGENCY, INC.

v.

THE ALLSTATE CORPORATION and
THE ALLSTATE INSURANCE COMPANY

: CIVIL ACTION

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NO. 12-0144

FILED

MAR 13 2013

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 12th day of March, 2013, Defendants' Motion for Summary Judgment (Document No. 41), the plaintiffs' response, and after oral argument, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

IT IS FURTHER ORDERED as follows:

1. Insofar as the motion seeks judgment in the defendants' favor on the claim under 42 U.S.C. § 1981, it is **GRANTED**.
2. Insofar as the motion seeks judgment on the contract cause of action, it is **DENIED**.


TIMOTHY J. SAVAGE, J.